

~~TRANSMITTAL LETTER TO THE UNITED STATES~~

RTSP-0155

DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR
09/913,800INTERNATIONAL APPLICATION NO.
PCT/US99/23169INTERNATIONAL FILING DATE
5 October 1999PRIORITY DATE CLAIMED
23 February 1999

TITLE OF INVENTION

Antisense Modulation of AKT-2 Expression

APPLICANT(S) FOR DO/EO/US

MONIA, Brett P. et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
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 - c. have not been made; however, the time limit for making such amendments has NOT expired.
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8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. A **FIRST** preliminary amendment.
16. A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. A substitute specification.
18. A change of power of attorney and/or address letter.
19. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. Certificate of Mailing by Express Mail
23. Other items or information:
 - 1) Notification of Missing Requirements;
 - 2) Copies of Transmittal Letter transmitting executed Declaration and Power of Attorney dated February 5, 2002;
 - 3) Copy of client trust check for \$65.00 for Missing Parts fee; and
 - 4) Copy of return post card date stamped by PTO evidencing receipt of items 1-3 above

24. The following fees are submitted:

CALCULATIONS PTO USE ONLY

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00
- International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00
- International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00
- International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00
- International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =	0	x \$18.00	\$0.00
Independent claims	- 3 =	0	x \$80.00	\$0.00

Multiple Dependent Claims (check if applicable).

\$0.00

TOTAL OF ABOVE CALCULATIONS =

\$0.00

Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.

\$0.00

SUBTOTAL =

\$0.00

Processing fee of \$130.00 for furnishing the English translation later than 20 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00

TOTAL NATIONAL FEE =

\$0.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

\$0.00

TOTAL FEES ENCLOSED =

\$0.00

Amount to be refunded	\$
charged	\$

- a. A check in the amount of _____ to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Jane Massey Licata, Reg. No. 32,257
 Kathleen A. Tyrrell, Reg. No. 38,350
 Licata & Tyrrell P.C.
 66 E. Main Street
 Marlton, New Jersey 08053

Telephone: (856) 810-1515
 Facsimile : (856) 810-1454

Jane Massey Licata
 SIGNATURE

Jane Massey Licata
 NAME

32,257
 REGISTRATION NUMBER

June 10, 2002
 DATE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

RTSP-0155

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Antisense Modulation of AKT-2 Expression

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21. A second copy of the English language translation of the interna
22. Certificate of Mailing by Express Mail
23. Other items or information:

I hereby certify that this document being deposited on February 5, 2002 with the United States Postal Service as First Class Mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231.

By Deborah Ehret
Typed Name: Deborah Ehret

DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

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APR 20 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO. 09/913,800	FIRST NAMED APPLICANT Brett P Monia	ATTY. DOCKET NO. RTSP-0155
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INTERNATIONAL APPLICATION NO.

PCT/US99/23169

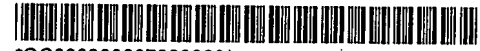
I.A. FILING DATE 10/05/1999	PRIORITY DATE 02/23/1999
--------------------------------	-----------------------------

kathleen A. Tyrrell
Licata & Tyrrell
66 E. main Street
Morlton, NJ 08053

Docket System ✓
Status Report ✓
Docket Book ✓

CONFIRMATION NO. 4042

371 FORMALITIES LETTER



OC000000007936866

Date Mailed: 04/26/2002

(MAX) 6/26/02
10/26/02

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 305-3653

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/913,800	PCT/US99/23169	RTSP-0155

FORM PCT/DO/EO/905 (371 Formalities Notice)

Docket No.

RTSP-0155

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Antisense Modulation of AKT-2 Expression

the specification of which

(check one)

is attached hereto.

was filed on 5 October 1999 as United States Application No. or PCT International Application Number PCT/US99/23169

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

(Number)

(Country)

(Day/Month/Year Filed)

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

09/256,465	February 23, 1999	Patented
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*



26259

PATENT TRADEMARK OFFICE

Herb Boswell, Reg. No. 27,311
 Laurel Spear Bernstein, Reg. No. 37,280
 Robert S. Andrews, Reg. No. 44,508
 April Logan, Reg. No. 33,950
 Neil S. Bartfeld, Reg. No. 39,901
 Kenneth H. Tarbet, Reg. No. 43,181
 Donna T. Ward, Reg. No. P48,271
 of the firm
 ISIS Pharmaceuticals, Inc.-Carlsbad Research Center
 2292 Faraday Avenue
 Carlsbad, California 92008

Send Correspondence to:

Direct Telephone Calls to: *(name and telephone number)*

Jane Massey Licata or Kathleen A. Tyrrell - (856) 810-1515

Full name of sole or first inventor Brett P. Monia	
Sole or first inventor's signature <i>Brett P. Monia</i>	Date 8/16/01
Residence Encinitas, California	
Citizenship US	
Post Office Address 2306 Casa Hermosa Court	
Encinitas, California 92024	

Full name of second inventor, if any Lex M. Cowser	
Second inventor's signature <i>Lex M. Cowser</i>	Date 8/16/01
Residence San Mateo, California	
Citizenship US	
Post Office Address 1299 Parrott Drive	
San Mateo, California 94402	

RECEIVED BY THE UNITED STATES
PATENT AND TRADEMARK OFFICE for the PCT
Paper: Transmittal Letter (in duplicate with First Class
Mail Stamp) to the United States Designated/Elected
Office Concerning a Filing under 35 C.F.R. 371; Executed
Combined Declaration; check for \$65.00 for Missing Parts
fee

Applicant(s): Monia and Cowser
Serial No.: 09/913,800
Filed: August 16, 2001
Docket No.: RTSP-0155
Date Sent: February 5, 2002

JC20 Rec'd PCT/PTO 01 MAR 2002

LICATA & TYRRELL P.C.
ATTORNEY TRUST ACCOUNT
66 EAST MAIN ST.
MARLTON, NJ 08053

1312

55-33/212

DATE 2/5/2002

PAY
TO THE
ORDER OF

Commissioner of Patents

\$ 65.00

Sixty-five and 00/100

DOLLARS  Security Features
Included. Details on back.



Small Business Services
smallbiz.fleet.com
Voorhees, NJ

FOR ATBP-0155 MISSING PARTS

Kathleen A. Tyrrell MP

⑈001312⑈ ⑆021200339⑆ 94040 08405⑈